

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

CIVIL CASE NO. 3:05cv370

DENNIS NOVOTNY, )  
                          )  
Plaintiff,            )  
                          )  
vs.                    )                           ORDER  
                          )  
MICHAEL CHAPMAN,    )  
                          )  
Defendant.            )  
                          )  
\_\_\_\_\_ )

**THIS MATTER** is before the Court *sua sponte*.

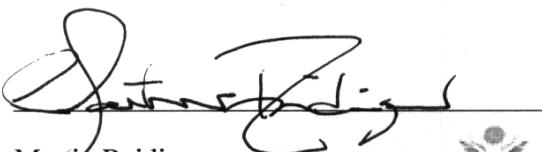
On January 7, 2008, a telephone call was received by the Chambers of the undersigned from the Defendant Michael Chapman. Defendant Chapman appears in this matter *pro se*, just as the Plaintiff appears in this matter *pro se*. Mr. Chapman advised the Court that the parties have settled this matter and inquired as to the necessity for the parties to appear at the final pre-trial conference. Mr. Chapman was advised that unless the parties filed a stipulation of dismissal with prejudice of this action, signed by both Plaintiff and Defendant, on or before January 28, 2008, it will be necessary for each of the parties to appear at the final pre-trial conference

scheduled for January 31, 2008. This Order is being entered so that the parties are clear as to their obligations to the Court and to provide the Plaintiff with notice of the information given to Mr. Chapman.

**IT IS, THEREFORE, ORDERED** that the parties shall file stipulation of dismissal with prejudice on or before January 28, 2008 or they shall each appear at the final pre-trial conference scheduled for January 31, 2008.

**IT IS FURTHER ORDERED** that the Clerk of Court shall serve this Order on the parties both electronically and by certified mail, return receipt requested.

Signed: January 7, 2008



Martin Reidinger  
United States District Judge

